

**For “in-person” meetings, persons who are not on the agenda but wish to address the governing body must register to speak at least 15 minutes prior to the start of the meeting. For Zoom meetings, the Mayor will canvas attendees for those wishing to speak. Time limits will be imposed. Written comments and/or questions to be addressed at the meeting, must be submitted to [jimauxer@yahoo.com](mailto:jimauxer@yahoo.com) 24 hours before the meeting. Requests for copies of documents related to agenda items must be made in writing at least 24 hours in advance of the meeting, not during the meeting. NOTE: Council members are elected to represent citizens of the Corporation of Shepherdstown, please contact them regarding any questions or comments you may have about the agenda items. This Council follows Robert’s Rules of Order (Revised).**

THE MEETING IS STREAMED ON THE TOWN’S FACEBOOK PAGE  
“SHEPHERDSTOWN, WEST VIRGINIA”

## **TOWN COUNCIL MEETING AGENDA**

Tuesday, February 13, 2024

6:30 p.m.

TOWN HALL

104 NORTH KING STREET

MASK WEARING IS OPTIONAL

1. Call to order
2. Approval of Town Council Meeting Minutes of January 9 and 24, 2024
3. **Public Comment Period**
  - a. Persons who have registered to address Town Council.
4. **Public Hearings**
5. **Visitors**
  - a. Dick Myers – Jefferson County Hazard Mitigation Plan Update – Discussion/Action
  - b. Ross Morgan – Shepherdstown Volunteer Fire Department – Letter of request to bill citizens and residents within the corporate limits – Discussion/Action
  - c. Frank Hill – Jay Hurley Last Will and Devise to the Town – Discussion/Action

## **6. Unfinished Business**

- a. Market House Update – Contract - forthcoming- Discussion/Action
- b. Website Update

## **7. Old Business**

## **8. New Business**

- a. Event Requests-
  - \* Natalie Friend- 2024 Farmer’s Market – Discussion/Action
  - \* Amanda Farone – Experience Shepherdstown – March 30 - Easter Egg Hunt street closure – Discussion/Action
- b. Proposal of “An Ordinance To Enact Chapter 8, Title 8 Of The Code Of Shepherdstown As The Special Events Ordinance” – Discussion/Action

## **9. Reports of Committees**

### **A. Finance Committee**

- 1. No meeting in January 2024
- 2. Recommendations: NONE
- 3. Review and approval of General Fund Financials

### **B. Parking Committee**

- 1. No meeting in January 2024
- 2. Recommendations: NONE

### **C. Police Committee**

- 1. No meeting in January 2024
- 2. Recommendations: NONE

### **D. Public Works Committee**

- 1. Meeting minutes of December 2023
- 2. Recommendations: NONE

### **E. Parks and Recreation Committee**

- 1. No meeting in January 2024
- 2. Recommendations: NONE

### **F. Grants Committee**

- 1. No meeting in January 2024
- 2. Recommendations: NONE

**G. Age Friendly Committee**

1. Meeting minutes of February 2024
2. Recommendations: NONE

**H. Personnel Committee**

1. Meeting minutes of January 2024
2. Recommendations:
  - a. Endorse the proposal of the Town Administrator regarding the creation of the position for Interim Director of Public Works – Discussion/Actions

**I. Recycling Committee**

1. No meeting in January 2024
2. Recommendations: NONE

**10. Report of Commissions and Boards**

**A. Tree Commission**

1. No meeting in January 2024
2. Recommendations: NONE

**B. Water and Sanitary Board**

1. Meeting minutes of December 2023
2. Recommendations: NONE

**C. Historic Landmarks Commission**

1. Meeting minutes of January 2024
2. Recommendations: NONE

**D. Planning Commission**

1. Meeting minutes of January 2024
2. Recommendations: NONE

**E. Board of Appeals**

1. None

**11. Mayor's Report**

# **Town Council Meeting Minutes**

**Tuesday, January 9, 2024**

**Town Hall**

**104 North King Street**

**6:30 p.m.**

**Mask Wearing is Optional**

**Also being streamed on the town's Facebook page "Shepherdstown,  
West Virginia"**

**DRAFT**

**Present:** Jim Auxer (Mayor), Lori Robertson (Recorder), Jenny Haynes, Leah Rampy, Chris Stroeck, Cheryl Roberts, and Marty Amerikaner.

**Absent:** None

**Staff:** Director of Public Works Frank Welch, Chief of Police Mike King, and Zoning Officer Andy Beall.

**Visitors:** Annette Gavin-Bates, Carrie Blessing, Steve and Harriett Pearson, Shannon Purvis Thomas, Adam Thomas, and Jim Ford.

**Agenda Items 1 and 2-Call to order/approval of Town Council Minutes  
(vote required):**

Call to order by Mayor Auxer at 6:30 p.m.

Approval of the Town Council Meeting Draft Minutes of December 12, 2023.

M. Amerikaner - stated that the minutes should reflect a summery of the discussion had and not so detailed.

L. Robertson - what I'm required to record are the motions. It is my discretion to add details, and I do, because those interested in what we do here like to know how we think and come to our decisions. We are fortunate that we have a very engaged constituency, and although they may not attend the meetings, they read the minutes.

C. Stroeck - has an addition to Agenda Item 5-Visitors, C, Proposal for Bike Route, pg. 4, first paragraph - add at the end of the paragraph: The council has specific concerns about the locations and numbers of the proposed sharrows.

M. Amerikaner - has an addition to be added as a comment to Agenda Item 5 - Visitors, C, Proposal for Bike Route, pg. 4, add before the motion: The council agreed that C. Stroeck will work with C. Roberts to develop a proposal regarding the sharrows, signage, and the paving issue.

**L. Rampy - move to approve Town Council Draft Minutes of December 12, 2023 with changes/additions; C. Stroeck - has an addition to Agenda Item 5-Visitors, C, Proposal for Bike Route, pg. 4, first paragraph - add at the end of the paragraph: The council has specific concerns about the locations and numbers of the proposed sharrows. M. Amerikaner - has an addition to be added as a comment to Agenda Item 5 - Visitors, C, Proposal for Bike Route, pg. 4, add before the motion: The council**

**agreed that C. Stroeck will work with C. Roberts to develop a proposal regarding the sharrows, signage, and the paving issue.**

**Second by C. Stroeck. No objections noted.**

**Agenda Item 3 – Public Comment Period:**

- a. Persons who have registered to address Town Council.

Mayor - Frank Welch, Director of Public Works for the Corporation is retiring after 37 years!

Frank - he has seen a lot of councils over the years. The water plant is undergoing a \$2.5 million dollar renovation with \$421,000 coming from ARPA Funds. The water distribution system upgrade in Mecklenburg and Mill St. is being helped out with \$1.5 million dollars from the Corp of Engineers. The sewer plant upgrades that include a new sledge press and other replacements are happening with the help of \$429,000 ARPA Funds. He is proud of all of the things he has been part up and has enjoyed his years here. He will still be around if needed. Shepherdstown will still be here and running when he's gone.

Mayor - Frank has so many great qualities; how to deal with people here in all kinds of scenarios and capacities from leaks to trash pick-up.

**Agenda Item 4 – Public Hearings:**

- a. None

**Agenda Item 5 - Visitors:**

Visitor's comments, if any, are logged in under the specific agenda items.

a. Diana Suttentfield - requesting signage noting that Bones Wright Street was formally Rocky Street - Discussion/Action

D. Suttentfield is not in attendance.

b. Wayfinding - A. Gavin-Bates - Discussion/Action.

A. Gavin-Bates - thanked Andy and the Mayor for working with her. ARPA Funds have been received to help each town with Wayfinding signage.

The purpose is to increase visitor and resident experience:

- \* The goal is to create a conceptual plan
- \* CVB has spent \$27K for signage

Process:

- \* Theme
- \* Logo
- \* Location plan for signage
- \* Signage design for each town
- \* Design and location approvals
- \* Manufacturing of signs
- \* Installation

She showed design concepts highlighting Gateway, Wayfinding w/ map and Directional.

This can be done in phases with a match from CVB. She would like to see some of it done before the busy season, and would like to see a council member on the committee.

A. Beall - the Directional portion includes the parks.

Mayor - we will put Wayfinder on the January 22 Public Works meeting and someone from that meeting can be chosen as a member.

C. Stroeck - can definitely get the discussion started. Questioned the symbol on the signs - where did that come from?

A. Gavin-Bates - it symbolizes a river flowing and mountains.

C. Stroeck - our current signs have our logo on them. Any discussion between ours and this one?

J. Ford - not in that respect.

L. Robertson - can we add the river/mountain logo to our current signs?

A. Gavin-Bates - that's a possibility

C. Roberts - and possibly add the Founded/Established date under the town name.

C. Stroeck - there might be some grant funding opportunities.

**\*\*FrostyFest is January 27 & 28 being the Market House. Marty will include it in the email blast.**

c. Carrie Blessing - Earth Day/funding request - Discussion/Action

C. Blessing - the date is April 27 at Morgan's Grove Park. Is asking the Corporation to co-sponsor the event for \$2500.00. The total cost to put on the event is \$4500.00.

L. Robertson - that's a pretty small amount to put on a festival. You can reach out to a funding source called Fairs and Festivals and businesses



love to sponsor for marketing. The corporation doesn't sponsor private events. Chris Stroeck and I would be happy to sit down with you to help with logistics.

C. Stroeck - if we approve these kinds of requests it can become a steppingstone for others.

No motion made.

#### **Agenda Item 6 – Unfinished Business:**

a. Market House Update -

Mayor - we have one bid for the inside renovations for roughly \$250,000. We want to get it moving. The outside damage from where the car hit the building will be approximately \$15K. The vehicle has been impounded, fines have been paid but the driver has no insurance. We will pursue reimbursement.

b. Website Update -

Mayor - it's coming along with the drone footage looking really nice.

#### **Agenda Item 7 – Old Business:**

\_\_\_\_\_ a. None

#### **Agenda Item 8 – New Business:**

a. Creation of opioid lawsuit fund and opening of bank account -  
Discussion/Action

Mayor - we are part of the opioid lawsuit with other municipalities in the state. We have received the first stipend of \$6,000. We will set up a special bank account for these funds. Funds can only be spent following opioid abuse rules.

M. Amerikaner - Should we bring in other people to help; judges and health professionals?

Mayor - yes, that is the plan and we will be doing that.

**C. Stroeck - move to approve the creation of opioid lawsuit fund and opening of bank account. Second by M. Amerikaner. No objections noted.**

**Agenda Item 9 – Reports of Committees:**

**A. Finance Committee:**

1. No Meeting December 2023
2. Recommendations: None
3. Review and approval of General Fund Financials -

**L. Robertson - move to approve the General Fund Financials. Second by C. Roberts. No objections noted.**

Mayor - the 22-23 audit should be done in a few months.

**B. Parking Committee:**

1. No meeting December 2023
2. Recommendations: None

**C. Police Committee:**

1. Meeting minutes of December 2023
2. Recommendations: None

**D. Parks and Recreation Committee:**

1. No meeting December 2003
2. Recommendations: None

C. Roberts - There is some playground equipment in Bane Harris Park that will be replaced/installed in the spring.

**E. Public Works Committee:**

1. Meeting minutes of December 2023
2. Recommendations: None

**F. Path Advisory Committee**

1. No meeting December 2023
2. Recommendations: None

**G. Grants Committee**

1. No meeting December 2023
2. Recommendations: None

**H. Age Friendly Committee**

1. No meeting December 2023

2. Recommendations: None

**I. Personnel Committee**

1. No meeting December 2023
2. Recommendations: None

**J. Recycling Committee**

1. No meeting in December 2023

**Agenda item 10 – Report of Commissions, Authority and Boards:**

**A. Historic Landmarks Commission:**

1. No meeting December 2023
2. Recommendations: None

Mayor - we are a Certified Local Government - we will be bringing speakers in to talk about living in a historic town.

**B. Planning Commission:**

1. No meeting December 2023
2. Recommendations: None

**C. Tree Commission**

1. No meeting December 2023 - not available

2. Recommendations: None

L. Robertson - we partnered with First Energy and they provided us vouchers and money to purchase trees for within the corporation. We planted 14 trees and shrubs with Thirty Seasons doing the planting. The trees and shrubs had to be planted before the end of the year and we met that goal.

**D. Water and Sanitary Board:**

1. Meeting minutes of December 2023

2. Recommendations: None

**E. Board of Appeals**

1. None

**Agenda Item 11 - Mayor's Report:**

\* Go to the Visitor's Center and the Shepherdstown Historic Museum - docents are needed, they need a commitment of 3-hours minimum.

\* If you'd like to be included on the email list, you can go to the website to sign up or contact the Town Clerk, Amy Boyd.

\* Please be aware of the snow shoveling ordinance that is on the website and Facebook page. It will also be sent out on the email blast.

\* The Mayor will be sending out a letter of support regarding methane emissions -he will get info to the council regarding the EPA rules.

- \* Please help keep the town clean and pick up trash on the street and make sure your trashcans have securely fastened lids.
- \* Also, please clean up after your dog, even in the snow.
- \* The Mayor showed crushed glass samples from the tour at the glass recycling plant in Winchester. There was great interest in all that attended.
- \* Thanks to our Public Works staff who cleared our streets.

**L. Robertson – move to adjourn at 7:57 p.m. Second by L. Rampy. No objections noted.**

Draft Minutes respectfully submitted by L. Robertson, Recorder for the Corporation of Shepherdstown.

## Special Town Council Draft Meeting Minutes

Wednesday, January 24, 2024

Via Zoom - 12:00 p.m.

DRAFT

**Present:** Mayor Jim Auxer, Lori Robertson (Recorder), Leah Ford, Chris Stroeck, Marty Amerikaner, and Jenny Haynes.

**Absent:** Cheryl Roberts

**Staff:** Town Administrator Stephanie Grove

**Visitors:** None

### **Agenda:**

1. Call meeting to order

**Call the meeting to order by Mayor Auxer at 12:00 p.m**

2. Consideration and Acceptance of Market House Bids -  
Discussion/Action

S. Grove - we put the Market House out to bid and received one bid in return. The bid is for \$245,200. The scope of work is in the RFP along with a sample contract for them to sign with us, and then will be sent to Council to see. We have the contractors certificates, insurance policies, etc. We have 180 days from when we sign the contract to expect the work to be completed.

C. Stroeck - were we sent the details, I don't think we were? S. Grove stated that we did not. We need to see it in the future prior to moving forward. (Everyone agreed)

M. Amerikaner - agreed, otherwise we are not sure what it's for.

S. Grove - we sent the RFP to 8 contractors. Two contractors did a walk through with one making a bid. She went through what the bid includes and went into great detail on the contractor. Once the contract is received, it will be sent to Chazz, then sent to the Council.

**L. Robertson - move to approve the Acceptance of the Market House Bid for \$245,200. Second by L. Rampy. No objections noted.**

Mayor - in addition, the approved contractors will be working on the inside and outside of the building at the same time.

3. Waiver of Open Container and Noise Ordinance for Street Fest - Discussion/Action

**J. Haynes - move to approve the Waiving of the Open Container and Noise Ordinances for Street Fest. Second by L. Robertson. No objections noted.**

4. **L. Robertson – move to adjourn at 12:17 p.m. Second by M. Amerikaner. No objections noted.**

Draft Minutes respectfully submitted by L. Robertson, Recorder for the Corporation of Shepherdstown.





## **SHEPHERDSTOWN FIRE DEPARTMENT, INC.**

8052 Martinsburg Pike • PO Box F • Shepherdstown, WV 25443  
(304)876-2311 • [www.shepherdstownfiredepartment.com](http://www.shepherdstownfiredepartment.com)

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Shepherdstown Town Council

Members of the Shepherdstown Town Council,

The Shepherdstown Fire Department is requesting authorization to bill for fire department services rendered to its citizens and businesses within the Corporation of Shepherdstown. This billing will include, but not limited to, incidents involving fires, automobile accidents, hazard materials spills etc. The bill will go to your insurance company, if the insurance company denies payment, then the bill is terminated and will not be billed to the individual. This billing is not associated with the EMS billing.

The billing and authorization is cited within West Virginia State code 7-1-3d(c) giving the County Commission permission to authorize billing for volunteer fire departments of West Virginia. Our billing agency, MCA, has requested that we also request the same from the town of Shepherdstown. While this billing will create a very small amount of revenue, we feel that every little bit will help us continue to provide the vital and necessary services that we provide. Thank you for your consideration on this.

Chief Ross L. Morgan

Shepherdstown Fire Department

NOTICE: Representation is required at meeting where this application will be reviewed.

Corporation of Shepherdstown



Event/Park Request Form

Applications and fees are due at least ninety (90) days prior to the event unless otherwise noted.

Any form of advertising of this event, prior to approval by Town Council, is done at applicant's own risk.

Please read and complete entire application. An incomplete application may result in denial or delay of request. The Corporation of Shepherdstown reserves the right to approve or deny any event request.

Organization:	Shepherdstown Farmers Market
Contact Name:	Natalie Grantham Friend
Mailing Address:	6274 Middleway Pike
City, State, Zip:	Kearneysville, WV 25430
E-mail Address:	natalie.grantham.friend@gmail.com
Daytime Phone:	3042792471
Evening Phone:	3042792471
Cell Phone:	3042792471

1.) Name and Complete Description of Event including location if other than one of our Parks: <i>attach on separate sheet if necessary</i> 2.) Has this event been held in Shepherdstown in the past?	Shepherdstown Farmers Market on S King St.			
	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
	<i>If yes, on a separate sheet, please provide event dates (last three years) and describe any scheduling conflicts with other events that occurred in prior years or potential conflicts for the current requested event</i>			
3.) Is this a "one-time" event?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
4.) Date and Time of Event: 03 / 24 / 2024 4a.) Set Up Time <sup>2</sup> _____ 4b.) Tear Down Time <sup>1</sup> _____	From: _____ To: _____ 9 am/pm 1 am/pm <b>3-24 through 12-22</b>			
5.) Park Requested, if applicable:	<input type="checkbox"/> Bane-Harris \$100	<input type="checkbox"/> Cullison \$100	<input type="checkbox"/> Rumsey \$500	<input type="checkbox"/> Viola-Devonshire \$100
6.) Are street closures requested?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide, on the attached map, streets that need to be closed. If having a parade, provide parade route. Alleys must be kept open. (No Exceptions)</i>			
7.) Is event open to the public?	<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No	

NOTICE: Representation is required at meeting where this application will be reviewed.

8.) What are the parking arrangements?	Street Parking			
<i>Please explain.</i>				
9.) Will entertainment be involved? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, give details w/# groups, type of music, time of performance(s) etc. See Noise Ordinance</i>	<i>Any entertainment must be approved by the Town Council.</i>			
	<input checked="" type="checkbox"/> Live Band	<input type="checkbox"/> DJ	<input type="checkbox"/> Radio/CD Player	<input type="checkbox"/> Other: Explain
	Acoustic/appropriate music			
10.) Will other equipment be used? (i.e. generator, tents, inflatables, etc.) If yes, give details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
11.) Are you a non-profit organization? <i>If yes, provide certification of non-profit status.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
12.) Will vendors be at the event? <i>If yes, give details including complete list of vendors and contact information.</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
13.) Will event participants be charged a fee? <i>If yes, what is the cost?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
14.) Will admission be charged for the event? <i>If yes, what is the cost?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Cost			
15.) Number of people expected to attend:	<input type="checkbox"/> less than 50	<input type="checkbox"/> 51-100	<input type="checkbox"/> 101-150	<input type="checkbox"/> more than 150
16.) Name & contact info. for two (2) people with authority that will be present at event:	Name: Natalie Grantham Friend		Phone: 3042792471	
	Name: Jonathan Worsley		Phone: 7039197712	
17.) Check any Town assistance needed:	<input type="checkbox"/> Electric	<input type="checkbox"/> Police	<input type="checkbox"/> Public Works	
	<input type="checkbox"/> Recycling	<input type="checkbox"/> Other		
18.) Will alcoholic beverages be served? <i>If yes, the Shepherdstown Open Container Ordinance must be suspended by action of the Town Council for this day's event.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, you must contact the WV Alcohol Beverage Control Commission to obtain a "one day" license.</i>			
19.) How will this event benefit Shepherdstown?	Bring foot traffic to downtown, and provide a source of local fresh food			

Requirements:

- All event requests must be applied for at least 90 days prior to the event date.
- For park events, notification of the event must be provided, in writing, to all neighbors within two blocks of the event location (a copy of this notification must be provided to the Town)
- If this is a parade, walk or run, give details including map of route to be taken.
- General liability insurance coverage of no less than one million dollars (\$1,000,000) reflecting the Corporation of Shepherdstown as additionally insured.
- If assistance from the Police or Public Works Department is needed for the event, you will be responsible for contacting the respective departments.
- Payment of costs incurred during the event must be paid within one week following the event (i.e. Assistance from the Police Department or Public Works Department).
- All required information must be submitted at least two weeks prior to the Town Council meeting.

Corporation of Shepherdstown

It is hereby agreed and understood that \_\_\_\_\_ is reserved, as specified, for the use of the above named organization and/or individual. The Facility reserved is subject to inspection by any authorized representative of the Corporation of Shepherdstown in order to assure proper use of Town

NOTICE: Representation is required at meeting where this application will be reviewed.

property. This permit must be in the possession of the organization and/or individual to whom it is issued and shown upon request to any authorized Town Official.

The organization and/or individual assumes personal liability and responsibility for any and all costs of cleanup of the premises, loss, breakage, damage to or removal of Town property and further assumes liability and responsibility for the conduct and good order of the group and its invitees and guests.

The organization and/or individual shall be responsible for any and all loss, damage or injury to any and all personal property that it or its agents, representatives, invitees or guests, may bring to, store at, or leave at the facility, and shall indemnify and hold harmless the Corporation of Shepherdstown and any department, agent, official and/or employee thereof for any personal injury incurred during, or as a result of such use. The organization and/or individual further agrees to abide by all procedures, policies, and rules governing use of the above-mentioned facility.

☒ I have read and agree to these responsibilities.

Signature of Organization and/or Individual: Natalie Grantham Friend

Digitally signed by Natalie Grantham Friend  
Date: 2024.02.06 14:23:18 -05'00'

Date: \_\_\_\_\_

Any individual under the age of 21 must have the signature of a parent or guardian who shall assume any and all responsibility and liability as set forth above and the person signing must be in attendance at the rental event.

Parent/Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Phone: \_\_\_\_\_

PLEASE NOTE APPROVAL IS REQUIRED FOR USE OF THE PARK FACILITIES. Once approved, this permit will be issued.

FOR OFFICE USE ONLY	
Rental Fee: \$ _____	<input type="checkbox"/> Cash
Date Paid: _____	<input type="checkbox"/> Check
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Approved by: _____	Comments:
Title: _____ Date: _____	_____
	_____
	_____

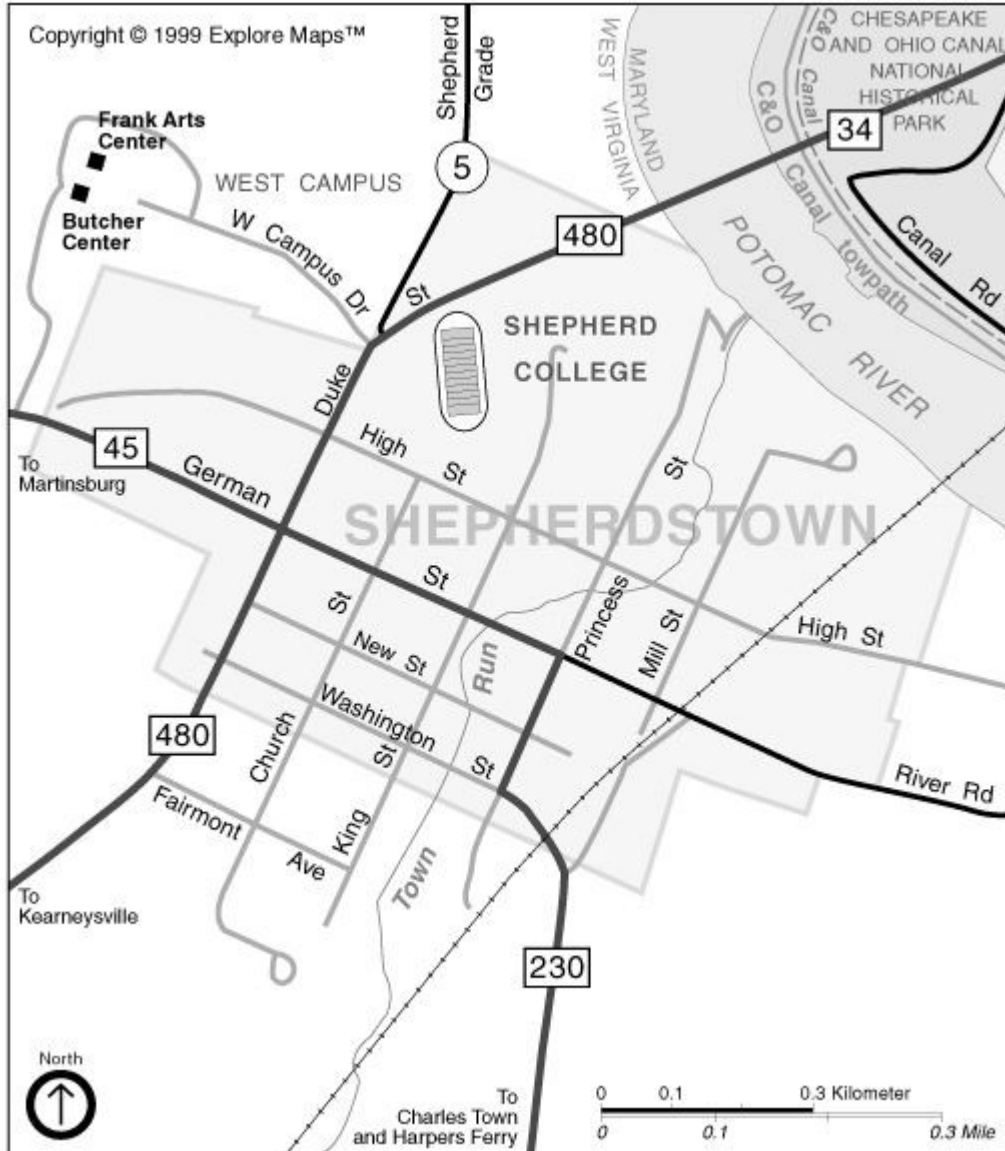
NOTICE: Representation is required at meeting where this application will be reviewed.

### Checklist

(To be completed by the Corporation of Shepherdstown)

- ☐ Complies with 90 day notice
- ☐ Insurance certificate provided
- ☐ Police or Public Works Department fees paid (if applicable)
- ☐ Park fee paid (if applicable)
- ☐ Open Container Ordinance Suspended (if applicable)
- ☐ Amplified Sound Use (if applicable)
- ☐ Vendor's list (if applicable)
- ☐ Date approved by Town Council \_\_\_\_\_

NOTICE: Representation is required at meeting where this application will be reviewed.



NOTICE: Representation is required at meeting where this application will be reviewed.

Corporation of Shepherdstown



Event/Park Request Form

Applications and fees are due at least ninety (90) days prior to the event unless otherwise noted.

Any form of advertising of this event, prior to approval by Town Council, is done at applicant's own risk.

Please read and complete entire application. An incomplete application may result in denial or delay of request. The Corporation of Shepherdstown reserves the right to approve or deny any event request.

Organization:	
Contact Name:	
Mailing Address:	
City, State, Zip:	
E-mail Address:	
Daytime Phone:	
Evening Phone:	
Cell Phone:	

1.) Name and Complete Description of Event including location if other than one of our Parks: <i>attach on separate sheet if necessary</i>					
2.) Has this event been held in Shepherdstown in the past?		<input type="checkbox"/> Yes <input type="checkbox"/> No			
		<i>If yes, on a separate sheet, please provide event dates (last three years) and describe any scheduling conflicts with other events that occurred in prior years or potential conflicts for the current requested event</i>			
3.) Is this a "one-time" event?		<input type="checkbox"/> Yes <input type="checkbox"/> No			
4.) Date and Time of Event: ____/____/____ 4a.) Set Up Time _____ 4b.) Tear Down Time _____		From: _____ To: _____ _____ am/pm _____ am/pm			
5.) Park Requested, if applicable:	<input type="checkbox"/> Bane-Harris \$100	<input type="checkbox"/> Cullison \$100	<input type="checkbox"/> Rumsey \$500	<input type="checkbox"/> Viola-Devonshire \$100	
6.) Are street closures requested?	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, please provide, on the attached map, streets that need to be closed. If having a parade, provide parade route. Alleys must be kept open. (No Exceptions)</i>				
7.) Is event open to the public?		<input checked="" type="checkbox"/> Yes		<input type="checkbox"/> No	

NOTICE: Representation is required at meeting where this application will be reviewed.

8.) What are the parking arrangements? <i>Please explain.</i>				
9.) Will entertainment be involved? Ys <input type="checkbox"/> <input type="checkbox"/> X No <i>If yes, give details w/# groups, type of music, time of performance(s) etc. See Noise Ordinance</i>	<i>Any entertainment must be approved by the Town Council.</i>			
	<input type="checkbox"/> Live Band	<input type="checkbox"/> DJ	<input type="checkbox"/> Radio/CD Player	<input type="checkbox"/> Other: Explain
10.) Will other equipment be used? (i.e. generator, tents, inflatables, etc.) If yes, give details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
11.) Are you a non-profit organization? <i>If yes, provide certification of non-profit status.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
12.) Will vendors be at the event? <i>If yes, give details including complete list of vendors and contact information.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
13.) Will event participants be charged a fee? <i>If yes, what is the cost?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
14.) Will admission be charged for the event? <i>If yes, what is the cost?</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Cost			
15.) Number of people expected to attend:	<input type="checkbox"/> less than 50	<input type="checkbox"/> 51-100	<input type="checkbox"/> 101-150	<input checked="" type="checkbox"/> more than 150
16.) Name & contact info. for two (2) people with authority that will be present at event:	Name:		Phone:	
	Name:		Phone:	
17.) Check any Town assistance needed:	<input type="checkbox"/> Electric	<input type="checkbox"/> Police	<input type="checkbox"/> Public Works	
	<input type="checkbox"/> Recycling	<input type="checkbox"/> Other		
18.) Will alcoholic beverages be served? <i>If yes, the Shepherdstown Open Container Ordinance must be suspended by action of the Town Council for this day's event.</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, you must contact the WV Alcohol Beverage Control Commission to obtain a "one day" license.</i>			
19.) How will this event benefit Shepherdstown?				

Requirements:

- All event requests must be applied for at least 90 days prior to the event date.
- For park events, notification of the event must be provided, in writing, to all neighbors within two blocks of the event location (a copy of this notification must be provided to the Town)
- If this is a parade, walk or run, give details including map of route to be taken.
- General liability insurance coverage of no less than one million dollars (\$1,000,000) reflecting the Corporation of Shepherdstown as additionally insured.
- If assistance from the Police or Public Works Department is needed for the event, you will be responsible for contacting the respective departments.
- Payment of costs incurred during the event must be paid within one week following the event (i.e. Assistance from the Police Department or Public Works Department).
- All required information must be submitted at least two weeks prior to the Town Council meeting.

Corporation of Shepherdstown

It is hereby agreed and understood that \_\_\_\_\_ is reserved, as specified, for the use of the above named organization and/or individual. The Facility reserved is subject to inspection by any authorized representative of the Corporation of Shepherdstown in order to assure proper use of Town



NOTICE: Representation is required at meeting where this application will be reviewed.

property. This permit must be in the possession of the organization and/or individual to whom it is issued and shown upon request to any authorized Town Official.

The organization and/or individual assumes personal liability and responsibility for any and all costs of cleanup of the premises, loss, breakage, damage to or removal of Town property and further assumes liability and responsibility for the conduct and good order of the group and its invitees and guests.

The organization and/or individual shall be responsible for any and all loss, damage or injury to any and all personal property that it or its agents, representatives, invitees or guests, may bring to, store at, or leave at the facility, and shall indemnify and hold harmless the Corporation of Shepherdstown and any department, agent, official and/or employee thereof for any personal injury incurred during, or as a result of such use. The organization and/or individual further agrees to abide by all procedures, policies, and rules governing use of the above-mentioned facility.

☒ I have read and agree to these responsibilities.

Signature of Organization and/or Individual: \_\_\_\_\_

Date: Feb 5 2025

Any individual under the age of 21 must have the signature of a parent or guardian who shall assume any and all responsibility and liability as set forth above and the person signing must be in attendance at the rental event.

Parent/Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Phone: \_\_\_\_\_

PLEASE NOTE APPROVAL IS REQUIRED FOR USE OF THE PARK FACILITIES. Once approved, this permit will be issued.

FOR OFFICE USE ONLY	
Rental Fee: \$ _____	<input type="checkbox"/> Cash
Date Paid: _____	<input type="checkbox"/> Check
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Approved by: _____	Comments: _____
Title: _____ Date: _____	_____
	_____
	_____

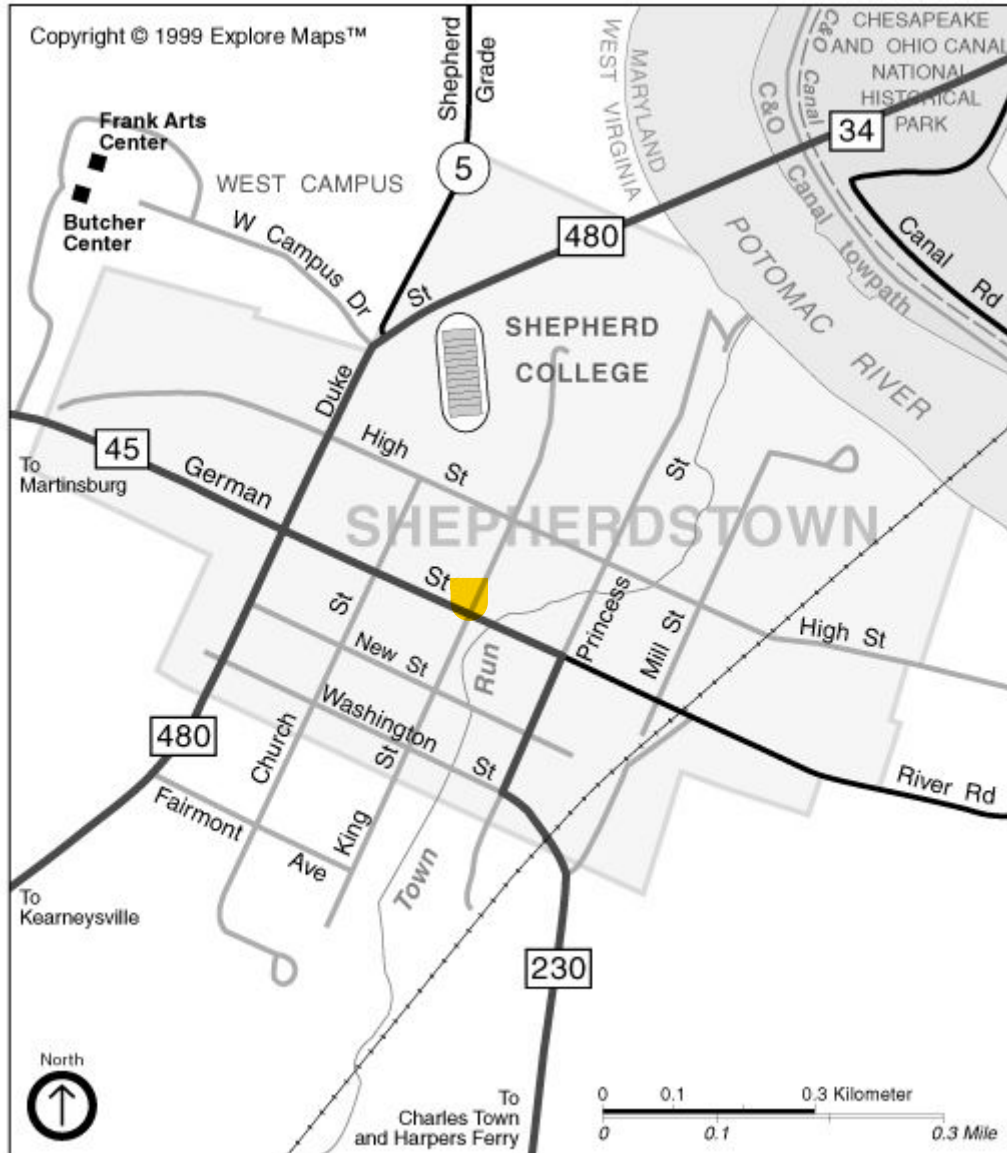
NOTICE: Representation is required at meeting where this application will be reviewed.

### Checklist

(To be completed by the Corporation of Shepherdstown)

- ☐ Complies with 90 day notice
- ☐ Insurance certificate provided
- ☐ Police or Public Works Department fees paid (if applicable)
- ☐ Park fee paid (if applicable)
- ☐ Open Container Ordinance Suspended (if applicable)
- ☐ Amplified Sound Use (if applicable)
- ☐ Vendor's list (if applicable)
- ☐ Date approved by Town Council \_\_\_\_\_

NOTICE: Representation is required at meeting where this application will be reviewed.



AN ORDINANCE TO ENACT  
CHAPTER 8, TITLE 8 OF THE CODE OF SHEPHERDSTOWN  
AS THE SPECIAL EVENTS ORDINANCE

THE SHEPHERDSTOWN TOWN COUNCIL ORDAINS:

Title 8 of the Code of Shepherdstown is hereby amended by adding Chapter 8, entitled the “Special Events Ordinance” to establish the application for a special events permit. Accordingly, Chapter 7, Title 11 of the Code of Shepherdstown shall read as follows:

TITLE 8

Chapter 8 – Special Events Ordinance

Section 8-801 – Definitions:

As used in this Chapter, the following terms have the following meanings:

- (a) “Aggrieved Person” shall mean a person who can demonstrate a specific, personal and legal interest in the final decision of an application for a permit issued under this ordinance, as distinguished from a general interest, such as is the concern of all members of the community, and which interest would be specifically and personally prejudiced by the decision or benefited by its reversal.
- (b) “Applicant” shall mean the authorized agent of the sponsor who completes the application and acts as a primary contact for the special event.
- (c) “Application fee” shall mean the non-refundable fee, as determined by the Shepherdstown Town Council, payable by applicant for the review of a special events application.
- (d) “Annual Event” shall mean an event recurring each year at approximately the same date and time, which has previously complied with the permit requirements.
- (e) “Town Funded Event” shall mean an event for which the Corporation of Shepherdstown engages full financial responsibility.
- (f) “Town Co-Funded Event” shall mean an event for which the Corporation of Shepherdstown provides a portion of financial support as determined by the Shepherdstown Town Council.
- (g) “Town Services” shall mean those services provided by various departments of the Corporation of Shepherdstown, which may include, but are not limited to police

protection, fire protection, emergency medical response, placement and removal of barricades and collection of refuse.

- (h) “Closed Route” shall mean a route along or across a public right of way on which nonemergency vehicular traffic is not permitted to proceed for the entire duration of a special event.
- (i) “Event Participants” shall mean a person or persons in attendance at an event, including, but not limited to, spectators, vendors, event staff, Town staff and any others present for the purpose of the event.
- (j) “Farmer’s Market” shall mean an organized group that utilizes a street or parking lot to sell merchandise, food items and various agriculturally related items or products.
- (k) “Parade” shall mean any march, demonstration, procession or motorcade consisting of people, animals or vehicles, or a combination thereof, upon the streets, sidewalks or other public areas within the Town with an intent or likely effect of attracting public attention and interfering with, or having a tendency to interfere with, the normal flow or regulation of pedestrian or vehicular traffic upon the streets, sidewalks or other public property
- (l) “Permit” shall mean written permission for assembly, parade, or use of public facilities issued pursuant to this Chapter.
- (m) “Processional Event” shall mean any event that is non-stationary and continues in a processional manner through town, such as a parade, march, race, etc., and requires the closure of multiple streets or multiple blocks on the same street.
- (n) “Public Assembly” shall mean any meeting, march, demonstration, picket line, rally, or gathering of 25 or more persons for a common purpose as a result of prior planning that affects or may reasonably be expected to affect the normal flow or regulation of pedestrian or vehicular traffic upon the streets or other public facility, other than a park or recreational building or facility.
- (o) “Public Facility” shall mean a building, structure, place or other location or area which a person may seek to utilize for purposes other than the normal and usual governmental operations of the Town, but excludes a public park and recreational facility.
- (p) “Rental Fee” shall mean a fee for the use of Town-owned property for an event, which may or may not include provisions for utilities.
- (q) “Rolling Closure Route” shall mean a street, sidewalk, trail, walkway or other right-of-way which is closed to accommodate an event, where, as the event passes, the right-of-way is reopened for general public use.
- (r) “Special Event” shall mean any activity, such as a parade, entertainment or sporting event, major highway construction or maintenance activity, street closure, public demonstration, amusement, cultural recognition, festival, street fair or any other

situation where there is need for the control of traffic and crowds or prevention of crime and which is usually scheduled in advance, allowing for planning or required police services prior to the event.

- (s) “Spontaneous Public Event” shall mean any unplanned or unannounced coming together of people, animals or vehicles in a parade or public assembly which is not contemplated beforehand by any participant therein and which is caused by or in response to unforeseen circumstances or events occasioned by news or affairs coming into public knowledge within five (5) days of such parade or public assembly.

#### Section 8-802 – Permit Required:

The Town Council hereby finds as follows:

- (a) It shall be unlawful for any person to conduct or participate in any parade, public assembly or special event unless a written permit has been issued in accordance with the provisions of this ordinance.
- (b) The provisions of this permit shall not apply to the following:
  - 1. Spontaneous public events; or
  - 2. Recreational activities, including jogging or walking, which do not require closing of public streets or other rights-of-way and that do not interfere with, or have a tendency to interfere with, the normal use of any public property in a place open to the general public; or
  - 3. Funeral processions; or
  - 4. Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of proper school authorities; or
  - 5. The United States Army, Navy, Marine Corps, Coast Guard, or any other branch or organization under the direction of the United States Armed Forces; the military forces of West Virginia or the police and fire division of the Corporation of Shepherdstown, Jefferson County, or State of West Virginia, acting in official capacity; or
  - 6. A governmental agency/agencies acting within the scope of its functions; or

7. Town owned property under the regulation and maintenance of Jefferson County Parks and Recreation.

- (c) Applicants requesting a Special Event Permit are required to submit a completed Application for Special Event Permit, along with a twenty-five dollar (\$25.00) non-refundable application fee payable to the Corporation of Shepherdstown for review and processing, at least thirty (30) days prior to the date of proposed event. Other fees may be applicable, in accordance with Title 809.
- (d) All applications must be received by the Corporation of Shepherdstown, either by mail, electronic mail, fax or delivery in-person, no later than thirty (30) days before the proposed event.
- (e) The application must be filled out, in its entirety, and shall provide all relevant information, including but not limited to, alternatives for location, route, date, and time.
- (f) As a condition of the Special Event Application, all applicants are responsible for providing a specific and accurate representation of the proposed event so that the Corporation of Shepherdstown may accurately identify the required level of services, including but not limited to, Police, Emergency Services and Public Works.
- (g) Preferred Routes may be suggested by the Town for parades and some other processional events, and applicants are asked to review and consider these routes. The Town reserves the right to adjust the routes when conditions or events create a situation in which a preferred or requested route is unavailable.
- (h) The Town reserves the right to deny any permit application, sponsored or affiliated with a person or organization not in good standing with the Town, specifically in regards to outstanding fees, taxes, or other obligations.
- (i) Events are required to conform to all other applicable Town ordinances and policies, including but not limited to, signage, zoning, noise and nuisance ordinances.

Section 8-803 – Issuance or Denial of Permit:

- (a) All applications will be reviewed by the applicable department heads (Chief of Police, Planning Department, Public Works, Town Administrator, etc.) and

forwarded to Town Council or designee for final approval. The Town may set any conditions and fees for service or deposits, in accordance with policy, with the understanding that all conditions and fees must be satisfied within fifteen (15) calendar days prior to the event.

- (b) Upon review of comments, concerns and recommendations of applicable Department Heads, the Town Administrator or designee shall present a final recommendation to the Town Council, and Council may approve the permit if the event is determined to be unlikely to endanger the public health, welfare or safety and applying the following criteria:
1. The time, duration, route and size of the event will not unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic or the normal use of public property in a place open to the general public; and
  2. The time, duration, route, size and proposed activities of the event will not be scheduled to overly burden any one neighborhood or street on a consistent basis or cause or tend to cause an unreasonable disturbance to adjacent property owners or tenants including, but not limited to, noise, light and traffic; and
  3. The event is not of such a nature that it will require diversion of so great a number of police and fire/EMS personnel to properly police the line of movement in the areas contiguous thereto as to impair the normal protection of the remainder of the Town; and
  4. The applicant has, where appropriate, designated monitors sufficient to control the orderly conduct of the event in conformity with such permit; and
  5. The conduct of the event will not unduly interfere with the proper fire, ambulance and police protection or service to the remainder of the Town or is likely to unreasonably disrupt other public services and protection normally provided to the Town; and
  6. The event will not interfere with another event for which a permit has been granted or cause irreconcilable interference with previously approved or scheduled construction, maintenance or other activities; and



7. The event proposed will not violate, and will conform, with all applicable Federal, State and local regulations and laws governing the proposed event; and
8. If alcoholic beverages will be served at the event, the applicant must comply with all applicable provisions of the State Code and local ordinances pertaining to serving and consumption of alcoholic beverages. Additionally:
  - (i) the applicant may be required to demonstrate that adequate measures have or otherwise will be taken to ensure the safety of persons who may have become impaired or intoxicated at the event; and
  - (ii) the applicant may be required to demonstrate that adequate measures have or otherwise will be taken to ensure that underage persons are not served or permitted to consume alcoholic beverages at the event; and
  - (iii) no permit shall be issued to any applicant where alcohol is to be served upon any property or in any facility where alcohol is otherwise prohibited by any other statute.
- (c) For special events or public assemblies, such as a Farmer's Market or monthly reservation, held on a regular or recurring basis at the same location, an application for an annual permit covering all such assemblies may be filed with the Town Administrator or designee at least sixty (60) days prior to the first scheduled event. The application will then follow the heretofore described review and approval process.
- (d) If two or more applications are submitted requesting a permit for events to be held at the same time and place, the application first filed shall be first considered, and will be granted if it meets all requirements of this ordinance
- (e) In the event that the any application is denied by Town Council, the Town Administrator or designee will promptly mail to the applicant a notice of action which will contain the reasons for denial and notify the applicant of the right to appeal pursuant to Section 8-806.
- (f) Nothing in this ordinance shall permit the Town Council to deny a permit based upon political, social or religious grounds or reasons or based upon the content of views expressed.

- (g) The Town Administrator, or designee, under the direction of the Town Council, may authorize the conduct of an event on a date, at a time, at a place or over a route, different from that originally proposed. Any applicant desiring to accept an alternate permit shall file a written notice of acceptance with the Town Administrator. Any alternate permit shall conform to all requirements of this ordinance and shall have the same effect as any other permit issued therein.

#### Section 8-804 – Compliance; Penalties:

Every person or organization to whom a permit is issued under this ordinance shall substantially comply with all permit terms and conditions and with all applicable laws and ordinances. The person heading or leading the event shall carry the permit upon his or her person at all times during the conduct of the event, and shall show the permit when requested to do so. Any violation of this Ordinance will be punishable by a fine of up to \$500.00.

#### Section 8-805 – Revocation of Permit:

- (a) The Town Administrator or designee, with or without order of Town Council, shall have the authority to revoke any permit issued to this article if any information supplied by the applicant is discovered to be substantially false or intentionally misleading or if any term, condition, restriction or limitation of the permit has been substantially violated and if there is any continued violation of the terms, conditions, restrictions or limitations after the applicant or anyone working in concert with the applicant has been notified, in writing or otherwise, of a violation of the permit by a representative of the Corporation of Shepherdstown or an appropriate law enforcement official.
- (b) The Town Administrator or designee, with or without order of Town Council, shall have the authority to alter or cancel an event at any time due to unforeseen circumstances. If the event is cancelled by the Corporation of Shepherdstown due to unforeseen circumstances, permit application rental fees will be reimbursed and fees for Town services will be prorated and refunded, based on services rendered prior to notification of the cancellation. Any expenses incurred by the applicant relating to the event will not be the liability of the Corporation of Shepherdstown. The application fee is non-refundable.
- (c) The Town Administrator or designee may authorize the refund of any rental fees or other fees for Town services not utilized in the event that the applicant is unable to

hold or conduct the event due to inclement weather or some other cause not within the applicant's control. The request for such refund must be received by the Town Administrator or designee within ten (10) days of the scheduled event date. The application fee is non-refundable.

#### Section 8-806 – Appeal:

- (a) Any aggrieved person, having been denied a permit under the terms and conditions of this ordinance, or by the revocation of a permit after one has been issued, may present an amended request, which will be reviewed as a new request and must meet all heretofore conditions and deadlines
- (b) The decision of the Town Administrator or designee may be appealed to the Shepherdstown Town Council and the decision of the Shepherdstown Town Council may be appealed to the Circuit Court of Jefferson County, in accordance with the laws of the State of West Virginia.
- (c) In any appeal under this section, the Corporation of Shepherdstown shall have the burden of demonstrating that the denial of the permit was justified under the terms and conditions of this ordinance.

#### Section 8-807 – Public Conduct During Parades, Demonstrations and Assemblies:

- (a) No person shall unreasonably hamper, obstruct, impede or interfere with any event or with any person, vehicle or animal participating or used in an event for which a permit has been issued in accordance with the provision of this ordinance.
- (b) No driver of a vehicle shall drive between the vehicles, persons or animals comprising a parade, special event, public assembly or funeral procession except when otherwise directed by a police officer. This shall not apply to authorized emergency vehicles.
- (c) The Chief of Police, or his or her designee, shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along the public streets or rights-of-way constituting a part of the route of a parade, demonstration or assembly. The Chief of Police, or his designee, shall post signs to such effect and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

- (d) Loud speakers and/or amplification devices are prohibited unless specifically approved as part of the Permit Application.

Section 8-808 – Indemnification and Insurance Requirements:

- (a) The applicant shall indemnify and hold harmless the Corporation of Shepherdstown, its officers, agents, employees and volunteers from any and all claims, causes of actions, penalties, losses, expenses (including reasonable attorney's fees) and any other liability for injuries or damages to persons or property resulting from the special event which occurred by the omissions or authorized acts of the applicant
- (b) If the Town incurs any costs as a result of the applicant's failure to comply with any provisions, or if the Town property is destroyed or damaged by reason of a special event, the applicant shall reimburse the Town for its actual costs, including the actual repair or replacement cost of the property. The Town may retain any deposit or portion thereof as full or partial reimbursement for any such damage.
- (c) General liability insurance coverage, in the amount of \$1 million per instance and \$2 million aggregate, may be required before an event and maintained throughout the duration of the event, including set-up and dismantle periods. The Corporation of Shepherdstown is to be named as an additional insured.
- (d) The Town reserves the right to recommend a higher amount of required insurance depending on the proposed activity.
- (e) Requested use of rights-of-way or property owned by entities or persons other than the Corporation of Shepherdstown may require additional approvals, conditions or indemnification and insurance. The Corporation of Shepherdstown shall contact state and county agencies when necessary. Approval of private property owners for use of rights-of-ways and property is the sole responsibility of the applicant.
- (f) No applicant shall be required to comply with the insurance requirement of this section if the activity proposed for the special event is protected by the First Amendment to the United States Constitution and the applicant produces evidence that complying with the insurance provision is impossible or so financially burdensome that it would preclude the special event from occurring.
- (g) All events are subject to the requirement to successfully pass all fire, life safety and building safety inspections when applicable

Section 8-809 – Fees:

- (a) Fees may be assessed on events which require additional Town services as follows:
1. Police Fees--\$35 per hour or partial hour worked, per officer.
  2. Public Works--\$9 per hour or partial hour worked, per laborer, including time requested or deemed necessary for set up and/or clean up and \$150 per hour for equipment
- (b) Additional fees for Town Service may be waived for all Town Funded Events and Town Co Funded Events
- (c) Application Fee--\$25 per application, with each date constituting one application in the event of a recurring event except that a single multi-day event (example—an event taking place on a Friday and the immediately following Saturday) shall be considered one event.
- (d) The need for Town services is determined by applicant request or staff recommendation and ultimately approved by Town Council

Section 8-810 – Severability:

If any part of provision of this Chapter or the application thereof to any person or circumstances is held invalid, the remainder of the Chapter, including the application of such part or provision to other persons or circumstances, shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Chapter are severable.

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Recorder

# Special Events Application

The Corporation of Shepherdstown has enacted Ordinance 8-801 et seq. requiring a special events application be submitted for all assemblies, demonstrations, special events and parades, as detailed in Sections 8-801 through 8-810 in the Corporation of Shepherdstown Codified Ordinances. All requests must be submitted for departmental and Town Council review. The information requested by this form will be used to determine eligibility for a special events permit. **The event will not be considered for approval until the entire application and all of its parts have been submitted. Applications are due to the Office of the Town Administrator no later than 30 days prior to the proposed special event.**

Event Title \_\_\_\_\_

Event Date \_\_\_\_\_

Event Sponsor \_\_\_\_\_

Secondary Date \_\_\_\_\_

## Organizer's Contact Information

Name: \_\_\_\_\_

Cell: \_\_\_\_\_

Address: \_\_\_\_\_

Email \_\_\_\_\_

Alt. Phone \_\_\_\_\_

## Event Information

Requested Area(s) \_\_\_\_ City Streets/Sidewalks \_\_\_\_ Sidewalks only \_\_\_\_ Other \_\_\_\_

Location of Event \_\_\_\_\_

Attach route for processional events. Be precise when indicating location.

Event Hours \_\_\_\_\_ until \_\_\_\_\_ Set up start time \_\_\_\_\_ Clean up end time \_\_\_\_\_

\*\*\*\*NOTE\*\*\*\* Town Square Events are limited to SIX (6) Hours, including set-up and clean-up time.

Anticipated Attendance (per day): Participants \_\_\_\_\_ Spectators \_\_\_\_\_

## Office Use Only

Department Heads: Please indicate disposition of event proposal and attach any comments or conditions.

Police: ____ Approved ____ Denied ____ Conditional	Planning: ____ Approved ____ Denied ____ Conditional
Fire: ____ Approved ____ Denied ____ Conditional	Public Works ____ Approved ____ Denied ____ Conditional
Town Manager: ____ Approved ____ Denied ____ Conditional	Town Council: ____ Approved ____ Denied ____ Conditional

Recorder \_\_\_\_\_ Amount Due \_\_\_\_\_ Amount Paid \_\_\_\_\_ Insurance Provided \_\_\_\_\_ Council Agenda \_\_\_\_\_  
Permit No. \_\_\_\_\_ Conditions Attached? \_\_\_\_\_

# Event Information

Answer the following questions, in full, and attach any additional information

**Name of Event** \_\_\_\_\_

**Brief Description of Event:** \_\_\_\_\_

\_\_\_\_\_

Has your organization held this event in the past? \_\_\_\_\_

When and Where? \_\_\_\_\_

Is the event a fundraiser? \_\_\_\_\_

Will you require assistance from Fire/EMS? \_\_\_\_\_ (additional fees apply) How many units? \_\_\_\_\_ Council reserves the right to assign additional units at applicant cost.

Will you require assistance from the Police Department? \_\_\_\_\_ (additional fees apply) How many units? \_\_\_\_\_ Council reserves the right to assign additional units at applicant cost.

Will items be left overnight? \_\_\_\_\_ What and where? \_\_\_\_\_  
Hazmat items must be attended constantly.

Will you be providing private security? \_\_\_\_\_

Will alcohol \_\_\_\_\_ or food \_\_\_\_\_ be served?  
Additional approvals may be necessary through the ABCA or Health Department.

Will you have vendors? \_\_\_\_\_ Are you charging admission \_\_\_\_\_?  
Check with B&O Licensing to obtain additional licenses and tax information.

Will streets \_\_\_\_\_ or intersections \_\_\_\_\_ be blocked? **Requires** police department assistance.  
List streets and/or intersections \_\_\_\_\_

Public Works assistance needed? \_\_\_\_\_ Street Sweeping \_\_\_\_\_ Barricades or fencing Material \_\_\_\_\_ (additional fees apply)—Council reserves right to assign additional units at applicant cost

Will you be using loud speakers or amplification devices? \_\_\_\_\_

Continued on next page

Will you be installing temporary structures, such as tents, bleachers, stages, inflatables? \_\_\_\_\_ What and where? \_\_\_\_\_  
Check with Planning for U&O Requirements

Will you require dedicated parking or bagged meters? \_\_\_\_\_  
What and where? \_\_\_\_\_  
Check with Parking for costs and arrangements

Indemnification

I \_\_\_\_\_ shall defend and hold harmless the Corporation of Shepherdstown, its officers, employees, agents and representatives thereof, from all suits, actions, claims of any kind, including attorney's fees, brought on account of any personal injuries, damages or violation of rights sustained by any person or property in consequence of any neglect on behalf of \_\_\_\_\_ (name of organization or business), while their personal property is situated on Town property. I shall further hold the Corporation of Shepherdstown harmless from any claims or amounts arising from any violation of any law, bylaw, ordinance, regulation or decree.

[If required] A certificate of general liability insurance coverage in the amount of no less than \$1 million per instance and \$2 million aggregate naming the Corporation of Shepherdstown as an additional insured is attached to this application.

I further swear that all information provided in this application is true and accurate to the best of my knowledge and understand that the Shepherdstown Town Council has authority to change or amend my indicated needs, as necessary, and I am responsible for additional fees.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Title \_\_\_\_\_



## **Fee Schedule**

Application Fee--\$25

Police Fees--\$35 per hour or partial hour worked, per officer.

Fire/EMS--\$35 per hour or partial hour worked, per firefighter and \$100 per hour or partial hour for firefighting apparatus and/or medic unit

Public Works--\$20 per hour or partial hour worked, per laborer, including time requested or deemed necessary for set up and/or clean up

\*\*\*Additional fees for Town Service may be waived for all Town Funded Events and Town Co-Funded Events\*\*\*

\*\*\* The need for Town services is determined by applicant request or staff recommendation and ultimately approved by Town Council\*\*\*

**Corporation of Shepherdstown**  
**Budget vs. Actuals: Fiscal Year 2024**  
**November 2023**

	Actual as of 11/30/2023	FY 24 Budget	Remaining	% of FY 24 Budget	FY 23 YTD as of 11/30/2022
<b>Income</b>					
301 Property Tax Revenue	153,304.99	254,699.00	-101,394.01	60.19%	137,531.16
303 Gas & Oil Severance	15,650.37	9,000.00	6,650.37	173.89%	8,903.40
304 Utility Tax	27,153.27	56,000.00	-28,846.73	48.49%	20,145.02
305 Business & Occupation Tax	20,802.24	85,000.00	-64,197.76	24.47%	21,855.19
306 Wine/Liquor/Private Club Tax	47,510.81	180,000.00	-132,489.19	26.39%	45,364.55
307 Animal Control Tax	216.00	400.00	-184.00	54.00%	221.40
308 Hotel Occupancy Tax	116,433.08	140,000.00	-23,566.92	83.17%	56,378.73
314 Muni Sales & Use Tax	150,989.81	540,000.00	-389,010.19	27.96%	135,723.74
325 Business Licenses	9,498.00	23,000.00	-13,502.00	41.30%	11,209.00
326 Building Permits	1,528.00	6,500.00	-4,972.00	23.51%	2,565.00
328 Franchise Fee/Pole Tax	5,920.11	7,500.00	-1,579.89	78.93%	3,075.78
330 IRP Truck Fees	3,608.82	10,000.00	-6,391.18	36.09%	5,481.79
350 Refuse Collection	87,953.23	211,224.50	-123,271.27	41.64%	82,615.96
353 BOA Fee (Book Fee here-no A/P)		300.00	-300.00	0.00%	
368 Cont. from Other Entities		2,100.00	-2,100.00	0.00%	84,101.11
376 Gaming Income-Table Games	42,239.50	124,635.00	-82,395.50	33.89%	69,025.67
380 Checking Interest	86,478.30	67,200.00	19,278.30	128.69%	-155.10
381 Reimbursements	2,407.52	2,625.00	-217.48	91.72%	5,469.59
382 Refunds & Rebates	5,815.28	12,915.00	-7,099.72	45.03%	51,368.83
397 Video Lottery Proceeds Revenue	87,810.62	309,586.00	-221,775.38	28.36%	5,727.63
399 Miscellaneous Income	-96.48	357.50	-453.98	-26.99%	19,998.50
Court Fee Revenues	33,787.35	53,517.50	-19,730.15	63.13%	
Parking Fee Revenue	88,124.25	133,920.00	-45,795.75	65.80%	82,964.56
Rents Revenue	18,000.00	45,661.00	-27,661.00	39.42%	18,000.00
<b>Total Income</b>	<b>\$ 1,005,135.07</b>	<b>\$ 2,276,140.50</b>	<b>-\$ 1,271,005.43</b>	<b>44.16%</b>	<b>\$ 867,571.51</b>

**Expenses**

435.00 Regional Development Authority		1,100.00	-1,100.00	0.00%	0.00
438.00 Elections		4,500.00	-4,500.00	0.00%	0.00
916 Library-Building Repairs	16,500.00	0.00			0.00
700.305 Misc. Contractual	463.03				1,744.43
Arts, Humanities, Library	98.51		98.51		0
City Hall Accounting/Audit	25,395.64	16,407.00	8,988.64	154.79%	10,542.27
City Hall Bldg/Equip Expenses	435.51	19,950.00	-19,514.49	2.18%	2,034.95
City Hall Insurance	6,944.00	16,300.00	-9,356.00	42.60%	7,027.34
City Hall Legal Expenses	4,502.21	14,100.00	-9,597.79	31.93%	2,473.35
City Hall Other Expenses	17,000.01	50,196.00	-33,195.99	33.87%	17,482.78
City Hall Utilities	5,361.09	15,850.00	-10,488.91	33.82%	4,908.30

	Actual as of 11/30/2023	FY 24 Budget	Remaining	% of FY 24 Budget	FY 23 YTD as of 11/30/2022
City Hall Video Lottery Expense	62,211.73	28,000.00	34,211.73	222.18%	6,000.00
City Hall-Employee Salary/Fring	91,684.48	162,291.00	-70,606.52	56.49%	49,052.12
Elected Salaries/Fringe	5,084.07	10,687.00	-5,602.93	47.57%	5,070.44
General Fund Donations	9,188.91	21,600.00	-12,411.09	42.54%	9,900.00
Parks Equipment & Supplies	1,274.53	25,000.00	-23,725.47	5.10%	4,904.43
Parks Maintenance	2,871.39	5,840.00	-2,968.61	49.17%	2,199.40
Parks Salaries & Fringe	4,616.83	14,485.00	-9,868.17	31.87%	2,338.81
Parks Utilities	25.36	400.00	-374.64	6.34%	1,785.99
Parks Vehicle Expenses	565.95	5,125.00	-4,559.05	11.04%	267.74
Planning Commission Expenses	47,862.27	118,674.00	-70,811.73	40.33%	41,361.23
Police Contractual Svc	10,830.19	38,720.00	-27,889.81	27.97%	6,771.37
Police Dept. Grant Expenses		1,470.00	-1,470.00	0.00%	
Police Equip. Purchase & Repair	18,555.76	38,350.00	-19,794.24	48.39%	21,096.67
Police Other Expenses	26,986.16	121,630.00	-94,643.84	22.19%	38,788.22
Police Remittance Fees	2,724.00	1,113.00	1,611.00	244.74%	3,110.00
Police Salaries & Fringe	295,283.55	609,340.00	-314,056.45	48.46%	249,010.82
Police Utilities & Rent	3,048.26	24,413.00	-21,364.74	12.49%	2,694.20
Police Vehicle Expenses	73,422.70	29,000.00	44,422.70	253.18%	7,623.21
Public Works Expenses		2,625.00	-2,625.00	0.00%	
Regional Council Dues		900.00	-900.00	0.00%	
Sanit. Video Lottery Fund Exp	27,023.12	39,600.00	-12,576.88	68.24%	
Sanitation Dumping Fees	25,479.93	86,750.00	-61,270.07	29.37%	33,597.51
Sanitation Equip Repair & Maint	5,481.41	8,505.00	-3,023.59	64.45%	128.39
Sanitation Other Expenses	4,822.88	75,267.00	-70,444.12	6.41%	37,890.35
Sanitation Salaries & Fringe	38,900.35	117,861.00	-78,960.65	33.01%	26,544.71
Sanitation Vehicle Expenses	3,876.49	19,500.00	-15,623.51	19.88%	6,097.13
Streets Maintenance & Equipment	23,054.94	9,050.00	14,004.94	254.75%	14,332.00
Streets Other Expenses	11,069.33	28,750.00	-17,680.67	38.50%	10,696.75
Streets Salaries & Fringe	40,075.42	94,307.00	-54,231.58	42.49%	46,197.39
Streets Tree Maintenance	12,327.31	35,000.00	-22,672.69	35.22%	19,144.00
Streets Utilities	9,557.57	25,987.00	-16,429.43	36.78%	7,877.25
Streets Vehicle Expenses	2,865.97	14,500.00	-11,634.03	19.77%	7,928.18
Tobacco Warehouse Expense	5,636.74	6,510.00	-873.26	86.59%	69.10
Visitors Center Expenses	68,936.49	73,500.00	-4,563.51	93.79%	49,605.60
<b>Total Expenses</b>	<b>\$ 1,012,044.09</b>	<b>\$ 2,027,553.00</b>	<b>-\$ 1,038,071.94</b>	<b>49.91%</b>	<b>\$ 758,296.43</b>
<b>Net Operating Income</b>	<b>\$ (6,909.02)</b>				<b>\$ 109,275.08</b>

# Corporation of Shepherdstown

## Balance Sheet

As of November 30, 2023

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
106 Petty Cash	400.00
GENERAL FUNDS BANKING	1,286,137.58
RESERVED FUNDS BANKING 6209	3,859,054.38
RESTRICTED FUNDS	707,750.62
Undeposited Funds	931.18
<b>Total Bank Accounts</b>	<b>\$5,854,273.76</b>
Accounts Receivable	
General Funds A/R	68,821.04
<b>Total Accounts Receivable</b>	<b>\$68,821.04</b>
Other Current Assets	
112.011 Tobacco Warehouse	5,261.00
Other Current Assets	123,341.26
<b>Total Other Current Assets</b>	<b>\$128,602.26</b>
<b>Total Current Assets</b>	<b>\$6,051,697.06</b>
Fixed Assets	
General Fixed Assets (Gov-Wide)	5,443,487.51
<b>Total Fixed Assets</b>	<b>\$5,443,487.51</b>
<b>TOTAL ASSETS</b>	<b>\$11,495,184.57</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
General Funds A/P	66,269.54
<b>Total Accounts Payable</b>	<b>\$66,269.54</b>
Credit Cards	
213 Purchase Card Payable	93,971.30
Credit Cards Payable (deleted)	97.96
Fifth Third	0.00

# Corporation of Shepherdstown

## Balance Sheet

As of November 30, 2023

	TOTAL
<b>Total Credit Cards</b>	<b>\$94,069.26</b>
Other Current Liabilities	
140.01 DO-RHBT Payments Subsequer	-24,060.26
140.02 DO - Change in Proportionate	-16,430.00
200.02 EVCF Endowment Fund	0.00
2104 PEIA Payable	4,356.00
250.10 Net OPEB Liability	262,044.00
260 Accrued Compensated Absences	45,929.73
280.10 DI-Different Expected/Actual I	3,813.00
280.20 DI-Difference Proj/Actual Earn	4,911.00
280.30 DI-Changes/Differences Prop. S	15,979.00
280.40 DI - Changes in Assuptions	25,685.00
290.50 Restricted for Equipment	3,731.48
292.20 PPA-Beginning OPEB Liability	-276,168.79
292.30 PPA-2017 RHBT Payment	-68,722.76
292.40 PPA-Beginning Net OPEB Obligati	313,932.00
Child Support	544.61
Christmas Club	120.00
Due to (from) Coal Severance	992.53
Due to (from) Sewer	-430,984.24
Due to (from) Water	-231,208.91
Garnishments	1,006.08
Gen Fund Other Current Liab.	70,626.65
Payroll Liabilities	4,840.73
VALIC Retirement Payable	21,207.35
<b>Total Other Current Liabilities</b>	<b>\$ -267,855.80</b>
<b>Total Current Liabilities</b>	<b>\$ -107,517.00</b>
<b>Total Liabilities</b>	<b>\$ -107,517.00</b>
Equity	
290 Investment in Gen. Fixed Assets	5,466,470.38
Fund Balance	4,680,537.16
Retained Earnings	1,500,592.17
Net Income	-44,898.14
<b>Total Equity</b>	<b>\$11,602,701.57</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$11,495,184.57</b>

**Corporation of Shepherdstown**  
**Budget vs. Actuals: Fiscal Year 2024**  
**December 2023**

	Actual as of 12/31/2023	FY 24 Budget	Remaining	% of FY 24 Budget	FY 23 YTD as of 12/31/2022
<b>Income</b>					
301 Property Tax Revenue	157,612.99	254,699.00	-97,086.01	61.88%	149,650.73
303 Gas & Oil Severance	15,650.37	9,000.00	6,650.37	173.89%	8,903.40
304 Utility Tax	29,955.87	56,000.00	-26,044.13	53.49%	27,115.00
305 Business & Occupation Tax	41,324.24	85,000.00	-43,675.76	48.62%	42,592.19
306 Wine/Liquor/Private Club Tax	96,247.10	180,000.00	-83,752.90	53.47%	93,703.55
307 Animal Control Tax	224.00	400.00	-176.00	56.00%	224.10
308 Hotel Occupancy Tax	130,169.74	140,000.00	-9,830.26	92.98%	72,265.28
314 Muni Sales & Use Tax	305,441.81	540,000.00	-234,558.19	56.56%	268,115.74
325 Business Licenses	9,697.00	23,000.00	-13,303.00	42.16%	11,347.00
326 Building Permits	1,778.00	6,500.00	-4,722.00	27.35%	2,715.00
328 Franchise Fee/Pole Tax	5,920.11	7,500.00	-1,579.89	78.93%	3,075.78
330 IRP Truck Fees	3,608.82	10,000.00	-6,391.18	36.09%	5,481.79
350 Refuse Collection	105,738.74	211,224.50	-105,485.76	50.06%	101,723.42
353 BOA Fee (Book Fee here-no A/P)	0.00	300.00	-300.00	0.00%	
368 Cont. from Other Entities	0.00	2,100.00	-2,100.00	0.00%	0.00
376 Gaming Income-Table Games	49,917.01	124,635.00	-74,717.99	40.05%	92,350.19
380 Checking Interest	107,930.81	67,200.00	40,730.81	160.61%	82,498.15
381 Reimbursements	2,407.52	2,625.00	-217.48	91.72%	-155.10
382 Refunds & Rebates	5,815.28	12,915.00	-7,099.72	45.03%	5,942.28
397 Video Lottery Proceeds Revenue	117,749.20	309,586.00	-191,836.80	38.03%	81,126.64
399 Miscellaneous Income	-96.48	357.50	-453.98	-26.99%	5,727.63
Court Fee Revenues	39,497.35	53,517.50	-14,020.15	73.80%	21,438.50
Parking Fee Revenue	98,931.84	133,920.00	-34,988.16	73.87%	95,631.18
Rents Revenue	21,600.00	45,661.00	-24,061.00	47.31%	21,600.00
<b>Total Income</b>	<b>\$ 1,347,121.32</b>	<b>\$ 2,276,140.50</b>	<b>-\$ 929,019.18</b>	<b>59.18%</b>	<b>\$ 1,193,072.45</b>

**Expenses**

435.00 Regional Development Authority		1,100.00	-1,100.00	0.00%	0.00
438.00 Elections		4,500.00	-4,500.00	0.00%	0.00
916 Library-Building Repairs	16,500.00	0.00			0.00
700.305 Misc. Contractual	556.96				1,771.19
Arts, Humanities, Library	98.51		98.51		19.67
City Hall Accounting/Audit	29,571.87	16,407.00	13,164.87	180.24%	26,119.61
City Hall Bldg/Equip Expenses	594.51	19,950.00	-19,355.49	2.98%	2,034.95
City Hall Insurance	8,492.80	16,300.00	-7,807.20	52.10%	8,376.14
City Hall Legal Expenses	4,702.21	14,100.00	-9,397.79	33.35%	5,851.60
City Hall Other Expenses	23,134.51	50,196.00	-27,061.49	46.09%	19,146.00
City Hall Utilities	5,432.63	15,850.00	-10,417.37	34.28%	5,872.14

	Actual as of 12/31/2023	FY 24 Budget	Remaining	% of FY 24 Budget	FY 23 YTD as of 12/31/2022
City Hall Video Lottery Expense	64,711.73	28,000.00	36,711.73	231.11%	6,400.00
City Hall-Employee Salary/Fring	110,183.85	162,291.00	-52,107.15	67.89%	57,986.69
Elected Salaries/Fringe	5,084.07	10,687.00	-5,602.93	47.57%	5,070.44
General Fund Donations	10,988.91	21,600.00	-10,611.09	50.87%	11,750.00
Parks Equipment & Supplies	1,365.57	25,000.00	-23,634.43	5.46%	4,909.73
Parks Maintenance	3,030.07	5,840.00	-2,809.93	51.88%	2,962.76
Parks Salaries & Fringe	4,900.89	14,485.00	-9,584.11	33.83%	2,644.15
Parks Utilities	25.36	400.00	-374.64	6.34%	2,045.65
Parks Vehicle Expenses	636.73	5,125.00	-4,488.27	12.42%	338.59
Planning Commission Expenses	56,200.18	118,674.00	-62,473.82	47.36%	50,512.60
Police Contractual Svc	14,267.65	38,720.00	-24,452.35	36.85%	11,321.83
Police Dept. Grant Expenses		1,470.00	-1,470.00	0.00%	
Police Equip. Purchase & Repair	19,022.45	38,350.00	-19,327.55	49.60%	22,398.00
Police Other Expenses	31,774.68	121,630.00	-89,855.32	26.12%	44,679.93
Police Remittance Fees	3,384.00	1,113.00	2,271.00	304.04%	3,790.00
Police Salaries & Fringe	347,380.18	609,340.00	-261,959.82	57.01%	298,605.48
Police Utilities & Rent	3,265.24	24,413.00	-21,147.76	13.38%	3,123.17
Police Vehicle Expenses	76,307.28	29,000.00	47,307.28	263.13%	11,562.97
Public Works Expenses		2,625.00	-2,625.00	0.00%	
Regional Council Dues		900.00	-900.00	0.00%	
Sanit. Video Lottery Fund Exp	27,023.12	39,600.00	-12,576.88	68.24%	
Sanitation Dumping Fees	30,555.53	86,750.00	-56,194.47	35.22%	36,599.36
Sanitation Equip Repair & Maint	7,259.99	8,505.00	-1,245.01	85.36%	128.39
Sanitation Other Expenses	5,474.88	75,267.00	-69,792.12	7.27%	40,009.38
Sanitation Salaries & Fringe	46,069.86	117,861.00	-71,791.14	39.09%	31,890.35
Sanitation Vehicle Expenses	4,638.58	19,500.00	-14,861.42	23.79%	11,054.21
Streets Maintenance & Equipment	24,766.55	9,050.00	15,716.55	273.66%	14,332.00
Streets Other Expenses	12,688.15	28,750.00	-16,061.85	44.13%	12,397.06
Streets Salaries & Fringe	47,563.49	94,307.00	-46,743.51	50.43%	54,241.48
Streets Tree Maintenance	12,877.31	35,000.00	-22,122.69	36.79%	21,982.26
Streets Utilities	11,136.03	25,987.00	-14,850.97	42.85%	7,904.07
Streets Vehicle Expenses	3,178.62	14,500.00	-11,321.38	21.92%	8,826.63
Tobacco Warehouse Expense	5,636.74	6,510.00	-873.26	86.59%	83.75
Visitors Center Expenses	80,608.20	73,500.00	7,108.20	109.67%	49,605.60
<b>Total Expenses</b>	<b>\$ 1,161,089.89</b>	<b>\$ 2,027,553.00</b>	<b>-\$ 889,120.07</b>	<b>57.27%</b>	<b>\$ 898,347.83</b>
<b>Net Operating Income</b>	<b>\$ 186,031.43</b>				<b>\$ 294,724.62</b>

# Corporation of Shepherdstown

## Balance Sheet

As of December 31, 2023

	TOTAL
<b>ASSETS</b>	
Current Assets	
Bank Accounts	
106 Petty Cash	400.00
GENERAL FUNDS BANKING	1,433,730.70
RESERVED FUNDS BANKING 6209	3,851,087.38
RESTRICTED FUNDS	693,728.70
Undeposited Funds	931.18
<b>Total Bank Accounts</b>	<b>\$5,979,877.96</b>
Accounts Receivable	
General Funds A/R	243,075.06
<b>Total Accounts Receivable</b>	<b>\$243,075.06</b>
Other Current Assets	
112.011 Tobacco Warehouse	5,261.00
Other Current Assets	104,392.85
<b>Total Other Current Assets</b>	<b>\$109,653.85</b>
<b>Total Current Assets</b>	<b>\$6,332,606.87</b>
Fixed Assets	
General Fixed Assets (Gov-Wide)	5,443,487.51
<b>Total Fixed Assets</b>	<b>\$5,443,487.51</b>
<b>TOTAL ASSETS</b>	<b>\$11,776,094.38</b>
<b>LIABILITIES AND EQUITY</b>	
Liabilities	
Current Liabilities	
Accounts Payable	
General Funds A/P	51,118.64
<b>Total Accounts Payable</b>	<b>\$51,118.64</b>
Credit Cards	
213 Purchase Card Payable	48,105.02
Fifth Third	0.00



# Corporation of Shepherdstown

## Balance Sheet

As of December 31, 2023

	TOTAL
<b>Total Credit Cards</b>	<b>\$48,105.02</b>
Other Current Liabilities	
140.01 DO-RHBT Payments Subsequer	-24,060.26
140.02 DO - Change in Proportionate	-16,430.00
200.02 EVCF Endowment Fund	0.00
2104 PEIA Payable	4,356.00
250.10 Net OPEB Liability	262,044.00
260 Accrued Compensated Absences	45,929.73
280.10 DI-Different Expected/Actual I	3,813.00
280.20 DI-Difference Proj/Actual Earn	4,911.00
280.30 DI-Changes/Differences Prop. S	15,979.00
280.40 DI - Changes in Assuptions	25,685.00
290.50 Restricted for Equipment	3,731.48
292.20 PPA-Beginning OPEB Liability	-276,168.79
292.30 PPA-2017 RHBT Payment	-68,238.76
292.40 PPA-Beginning Net OPEB Obligati	313,932.00
Child Support	376.15
Christmas Club	160.00
Due to (from) Coal Severance	4,133.57
Due to (from) Sewer	-345,541.07
Due to (from) Water	-120,585.48
Garnishments	1,425.86
Gen Fund Other Current Liab.	70,686.88
Payroll Liabilities	6,531.79
VALIC Retirement Payable	14,651.07
<b>Total Other Current Liabilities</b>	<b>\$ -72,677.83</b>
<b>Total Current Liabilities</b>	<b>\$26,545.83</b>
<b>Total Liabilities</b>	<b>\$26,545.83</b>
Equity	
290 Investment in Gen. Fixed Assets	5,466,470.38
Fund Balance	4,680,537.16
Retained Earnings	1,500,592.17
Net Income	101,948.84
<b>Total Equity</b>	<b>\$11,749,548.55</b>
<b>TOTAL LIABILITIES AND EQUITY</b>	<b>\$11,776,094.38</b>

## **PUBLIC WORKS COMMITTEE – MINUTES **DRAFT****

**Monday, December 18, 2023, 1:00 PM**

**Town Hall - In Person - 104 North King Street**

1. Call to Order: 1:00pm – Mayor Jim Auxer, Chris Stroeck, Marty Amerikaner; Staff – Frank Welch, Andy Beall, Stephanie Grove.
2. Approval of Minutes: Nov. 2023 Minutes – MA motion to approve, second by CS, approved.
3. Visitors: Greg Welter, Rebecca Parmesiano
4. Public Comment: None.
5. Unfinished Business:

### **A. International Property and Maintenance Code Issues:**

\*349 W. German St. – Establishing ownership, letter to be sent.

\*332 W. German St. - Court hearing scheduled for Jan. 2024, Town is asking for \$100.00 fine per day from 11/1/23, Town to demolish and place lien.

### **B. Road Issues: No update.**

\*Paving of Princess St. from High St. to boat landing – letter to DOH to be drafted.

### **C. Trash and Grass Issues: No update.**

### **D. Recycling Issues:**

\*Recycling Grant - Garbage truck (for glass) – wait to see what happens with glass crusher.

\*Recycling Committee Update – Field to Winchester to observe glass crusher was well attended, will continue to move forward.

### **E. Market House: No update.**

F. Sidewalks: Discussion regarding how to prioritize and address sidewalk issues identified in reports. MA to organize a group of volunteers to survey the Town and note all issues. AB to reach out to county to get assistance with GIS mapping of sidewalk issues. Once all issues are noted, the Town can start remediating some issues, will explore grant funding for more significant issues. MA to contact Dr. Eck to see if he has a template for this type of survey.

### **G. Miscellaneous Issues:**

\*FEMA Study – No update.

\*Directional Signs – Wayfinding – update at next TC meeting.

## **6. New Business:**

A. International Building Code discussion – It has been determined that the Town will have to hire someone to enforce.

B. Painting of Station at Shepherdstown – Will plan to do so in Spring, 2024, bids to be sent out.

C. Stormwater Infrastructure Project – to be addressed at next meeting.

E. Storm drains cleaning – No update.

7. Mayor's Report: FW is retiring, effective 1/26/24.

8. Adjournment: CS motion, approved (2:46pm).

**NEXT MEETING: Monday, 1/22/24, 11:00am (Focus on Green Infrastructure)**

Age-Friendly Shepherdstown  
Minutes  
February 17, 2024

Attending: Marty Amerikaner, Marcy Bartlett, Stacey Kendig, Steve Pearson, Linda Spatig

1. Approval of minutes of last meeting

2. Greater Shepherdstown Bike Route

Linda and Marty reported that the Town Council had approved the route and given the go-ahead to collaborate with Shepherd University on planning signage that will be located on campus. We discussed the number and placement of signs as well as the possible design of the signs.

The group decided that a total of four directional signs would likely be needed - two (one for bikers going *into* town and one facing the other direction for bikers headed *out* of town) where Duke St and the route (sidewalk going around the football stadium) intersect and two where the stadium walkway intersects with King St. by the SU Student Center.

We talked about using relatively small, simple signage with a picture of a bicycle, an arrow, and possibly the words "Bike Route." We discussed the possibility of using the same colors and style the Jefferson County Wayfinding Project is recommending for Shepherdstown signage. Stacey agreed to share our signage ideas with SU administrators. Marty agreed to send Stacy photos of the Wayfinding signage design.

3. Downtown Fall Prevention and Safety

Marcy said the Prevention and Safety workgroup is inactive right now, but plans to continue working with town committees, such as Parks and Rec and Public Works, this spring to help identify areas of concern.

4. Membership

Linda asked for recommendations of people who might be interested in joining the Age-Friendly Committee. Stacey recommended Dr. Melissa Hall, a Shepherd University faculty member with expertise in therapeutic recreation. Linda agreed to reach out to Melissa.

Shepherdstown Special Personnel Committee Draft Minutes  
Wednesday, January 24, 2024  
5:00 p.m.  
Town Hall

1. Members Present: Chair Lori Robertson, Leah Rampy, Marty Amerikaner, and Jenny Haynes.

2. Absent: None

3. Staff: Town Administrator Stephanie Grove

4. Visitors: None

5. Public Comment: None

6. Agenda Items:

a. Call meeting to order

**Call the meeting to order by L. Robertson at 5:00 p.m.**

**L. Rampy - move to enter into Executive Session at 5:02 p.m. citing Wv Code 6-9A-4(b) (2) (A). Second by M. Amerikaner. No objections noted.**

b. Public Works Structure and Organization

c. Public Works Director Position

**L. Rampy - move to come out of Executive Session at 5:51 p.m. citing WB Code 6-9A-4(b) (2) (A). Second by J. Haynes. No objections noted.**

**L. Rampy - move to endorse the proposal of the Town Administrator regarding the creation of the position for Interim Director of Public Works. Second by L. Robertson. No objections noted.**

7. Adjournment:

**M. Amerikaner - move to adjourn at 5:54 p.m. Second by L. Rampy.**  
**No objections noted.**

**DRAFT MINUTES**  
**CORPORATION OF SHEPHERDSTOWN, WEST VIRGINIA**  
**WATER & SANITARY BOARDS**

December 7, 2023

**ATTENDEES: Water Board** – J. Auxer (Mayor), J. Bresland, J. Ford, M. Godfrey, S. Kemnitzer (Chair), C. Stroeck  
**Sanitary Board** – J. Auxer (Chair), H. Heyser, R. Keller  
**Town Staff** – B. Bennett, C. Coe, J. Ekstrom, S. Grove, K. Shipley, F. Welch  
**Visitors:** G. Welter

**1. CALL TO ORDER.**

The Water and Sanitary Boards meeting was called to order by J. Auxer at 1:02 p.m.

**2. MINUTES FROM PRIOR MEETING.**

The proposed minutes of the October 26, 2023, regular meeting were reviewed and were approved with revisions suggested by H. Heyser and J. Bresland.

**3. VISITORS.**

No visitor comments.

**4. FINANCES.**

**4.a FINANCIAL STATEMENTS - ENCLOSURE.**

S. Grove remarked on some items from the financial statements:

She investigated Water item 427 Interest Expense, which was thought to be in error, but it turned out to be correct. It will require a budget revision, however D. Decker recommended waiting until the end of the year to consider the budget revision.

Water statements show an operating deficit, which will have to be addressed at some point.

Sewer statements show an operating deficit, but it is decreasing due to the effect of the recent rate increase.

M. Godfrey noted that the Water FY24 Budget column in the statement has up to 15 incorrect expense items. S. Grove agreed that some of the numbers are incorrect.

**ACTION ITEM: S. GROVE TO ENSURE THAT THE WATER FINANCIAL STATEMENT IS UPDATED TO HAVE THE CORRECT VALUES FOR THE FY24 BUDGET.**

**MOTION: M. GODFREY MOTIONED, S. KEMNITZER SECONDED, THAT THE JANUARY AGENDA INCLUDE A DISCUSSION OF THE FY23/24 WATER BUDGET AND A POSSIBLE REVISION. J. FORD, M. GODFREY, S. KEMNITZER, C. STROECH VOTED TO APPROVE AND J. BRESLAND VOTED TO NOT APPROVE. MOTION WAS APPROVED.**

H. Heyser requested that the staff be prepared to discuss the Sewer Capital Improvements list at the January meeting.

**5. FLOW AND QUALITY REPORTS.**

**5.a WATER REPORTS.**

C. Coe reported that everything is in good order and that we have received the results of the PFAS tests. The readings from the river and from Town Run were (in parts/trillion):

PFAS: River 1.1, Town Run 0  
PFAO. River 1.3, Town Run 0

S. Kemnitzer suggested that a paragraph explaining these results be included in the next letter that goes out to customers. There was general agreement.

**5.b. SEWER REPORTS.**

K. Shipley reported that everything is in good order.

**6. UNFINISHED BUSINESS.**

**6.a WATER PLANT IMPROVEMENT PROJECT.**

J. Ekstrom reported that the raw water pumps will be installed next week and that we are waiting for the delivery of UV equipment, with January 8 being the currently expected date. Those are the only outstanding items.

**6.b UPDATE ON WATER DISTRIBUTION PROJECT.**

S. Kemnitzer asked for a summary of the project to date. J. Ekstrom summarized the project up to the current status, which included advertising for bids and receiving 2. There were several options included in the packet. J. Ekstrom recommended that we approve option #5 which includes Mecklenburg Heights water distribution upgrade, Mill Street fire protection upgrade and the installation of two gate valves at High Street.

**MOTION: S. KEMNITZER MOTIONED, M. GODFREY SECONDED, THAT WE EXECUTE OPTION #5 OF THE WATER DISTRIBUTION PROJECT AT A COST OF \$2,310,288. MOTION WAS UNANIMOUSLY APPROVED WITH NO FURTHER DISCUSSION.**

S. Kemnitzer requested that J. Ekstrom distribute updated construction cost information for option #5 by 12/8.

**ACTION ITEM: J. EKSTROM TO DISTRIBUTE UPDATED CONSTRUCTION COST INFORMATION FOR OPTION #5 TO THE WATER BOARD MEMBERS BY 12/8.**

At this point C. Stroeck left the meeting.

**7. NEW BUSINESS.**

**7.a MAINLINE EXTENSION RENEWAL TERMS.**

F. Welch discussed a proposed change to the Mainline Extension Agreement such that in the case of a pending agreement (i.e. one for which the construction has not yet begun) the plans would have to be resubmitted for review every 3 years.

R. Keller asked if the agreement would still have to be renewed each year. F. Welch and K. Shipley stated that it would. R. Keller suggested that we consider removing that requirement if we added the proposed resubmittal requirement.

S. Grove said that the proposed change should be reviewed along with the existing agreement.

**ACTION ITEM: S. GROVE AND F. WELCH TO PRESENT A PROPOSED, UPDATED MAINLINE EXTENSION AGREEMENT AT THE NEXT REGULAR MEETING.**

At this point J. Ekstrom left the meeting.

**7.B ORDINANCE REVISION - EROSION AND STREAM PROTECTION.**



The meeting package included, as an informational item, a proposed update to the Town's planning ordinances that attempts to protect streams and ensure against erosion during building projects.

H. Heyser asked if it has been coordinated with the flood plan ordinance. J. Auxer replied that it had and had also been approved by DEP personnel.

**8. OLD BUSINESS.**

**8.a HYDRANT REPORT - ENCLOSURE IN PACKET.**

K. Shipley reported that he and the contractor (Kable) toured the hydrants that need to be fixed and that they had decided to start the effort with the hydrant behind the Market House.

K. Shipley also reported that a bollard was needed to protect the hydrant at Princess and German Streets. There was general agreement to that.

**9. MAYOR'S REPORT.**

There was a discussion concerning the need to potentially include new members on both boards. It was decided that we needed a better understanding of the charters of the boards in order to address this issue.

**ACTION ITEM: J. AUXER TO ENSURE THAT A COPY OF THE CHARTERS OF BOTH BOARDS IS INCLUDED IN THE PACKET FOR NEXT MONTH'S MEETING.**

**10. NEXT MEETING DATE.**

There was some discussion about changing the regular meeting date from the 4th Thursday at 1:00 PM to another day and/or another time but no consensus was reached. Our next regular meeting will be Thursday, 25 January at 1:00 PM.

**11. SUMMARIZE ACTION ITEMS FROM THIS MEETING.**

4.a: S. Grove to ensure that the water financial statement is updated to have the correct values for the FY24 budget.

6.b: J. Ekstrom to distribute updated construction cost information for option #5 to the water board members by 12/8.

7.a: S. Grove and F. Welch to present a proposed, updated Mainline Extension Agreement at the next regular meeting.

9: J. Auxer to ensure that a copy of the charters of both boards is included in the packet for next month's meeting.

**12. DRAFT AGENDA FOR NEXT MEETING.**

**13. ADJOURNMENT. J. Auxer adjourned the meeting at 2:59 p.m.**

**Respectfully Submitted:** J. Ford



**Draft Minutes**

**Members Present:** Keith Alexander; Tom Mayes; Edith Thompson; Nicole Saunders-Meske

**Members Not Present:** Carmen Slater;

**Staff:** Andy Beall

**Visitors:** Jim King; Jim Auxer; Paul Welch; Jim Schmitt; Pam Berry

**Call to Order:** 5:00 p.m.

**Approval of Minutes:** 11/15/2023 Approved

**Conflicts of Interest:**

**Application Review:**

New Applications:		Project Description
23-27	Paul & Lisa Welch	Replace eleven (11) windows in 1993-built addition with Marvin aluminum clad double hung inserts to match existing.
	209 W. German Street	
<i>The applicant and his contractor are present and describe the proposed window replacements. All (11) windows are in the addition built in 1993. The windows to be replaced were made by a company no longer in business and are failing. The replacements windows are Marvin aluminum clad, double-hung 2/2. K. Alexander refers to page 45 of the Historic District Design Guidelines. Since the addition is not historic, the proposed replacements are appropriate.</i>		
Notes:		
Motion:	<i>T. Mayes motions to approve application 23-27 pursuant to page 45 of the historic district design Guidelines for window replacement and based on the fact, the addition was built in 1993 and is not historic. E. Thompson seconds the motion, no objections and motion passed unanimously.</i>	

New Applications:		Project Description
23-29	Robert Smiles	Addition of roof-mounted solar array to rear addition and garage...west facing.
	331 W. High Street	
The applicant is not present.		
Notes:		
Motion:	The application is not reviewed, and no motion is made.	

Historic Landmark's Commission January 8, 2024 – Regular Meeting



Draft Minutes


New Applications:		Project Description
23-30	Pamela Berry / YOSS	Remove the existing enclosed porch on front of building including brick knee wall and replace with brick steps and landing. Previously approved in 2017.
	100 W. German Street	
<i>The applicant is present and describes the proposed porch removal. She states the porch/portico is not original to the main structure and is leaking which has subsequently caused damage to the brick wall of the building. She would also like to replace the concrete threshold with brick or stone. Page 31 of the historic district design guidelines allows for demolition by neglect even when a structural feature is over 50 years of age and therefore contributing to the historic district.</i>		
Notes:		
Motion:	<i>T. Mayes motions to approve application 23-30 pursuant to page 31 of the historic district design guidelines in that the portico is not historically contributing. E. Thompson seconds the motion, no objections and motion passed unanimously.</i>	

New Applications:		Project Description
23-31	St. Peter's Lutheran Church	Remove unstable 1.5 story and single-story shed-roof additions on rear of primary structure. Replace with smaller scale two-story addition than that previously approved in November 2021.
	104 N. King Street	
The applicant is not present.		
Notes:		
Motion:	The application is not reviewed, and no motion is made.	

Workshop: N/A  
Continuing Business: N/A  
New Business: N/A  
Administrative Matters: N/A  
Adjournment: Motion to adjourn at 5:30 p.m.; no objections and passed unanimously.